

立法會
Legislative Council

LC Paper No. LS128/00-01

**Paper for the House Committee Meeting
of the Legislative Council
on 29 June 2001**

**Legal Service Division Report on
Resolution under section 29 of the Pharmacy
and Poisons Ordinance (Cap. 138)**

The Secretary for Health and Welfare has given notice to move a motion at the Legislative Council meeting on 11 July 2001. The motion seeks the Legislative Council to approve the Pharmacy and Poisons (Amendment) (No. 4) Regulation 2001 and the Poisons List (Amendment) (No. 3) Regulation 2001, both made by the Pharmacy and Poisons Board ("the Board") pursuant to section 29 of the Pharmacy and Poisons Ordinance (Cap. 138).

2. According to the draft speech of the Secretary for Health and Welfare, the Amendment Regulations seek to add 6 new medicines to Part I of the Poisons List, and the First and Third Schedules to the Pharmacy and Poisons Regulations. The Board considered that the proposed amendments necessary in view of the potency, toxicity and potential side-effects of the medicines concerned.

3. The legal effect of such additions is that pharmaceutical products containing any of these 6 substances must be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the support of prescriptions given by a registered medical practitioner, registered dentist or registered veterinary surgeon. The relevant provisions on these 6 medicines shall come into operation on the day when the Amendment Regulations are published in the Gazette after being approved by the Legislative Council.

4. The two Amendment Regulations are in order from the legal point of view.

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